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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,389	11/25/2003	Thomas Redden Veariel	2003B103/2	8869

23455 7590 10/17/2007  
EXXONMOBIL CHEMICAL COMPANY  
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EXAMINER
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BODAWALA, DIMPLE N

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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10/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/723,389	Applicant(s) VEARIEL ET AL.	
	Examiner Dimple N. Bodawala	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 36-64 and 72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-64 and 72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

Claims 36-64 and 72 are pending.

In view of the amendment filed on August 20, 2007, following rejections are withdrawn as of reasons of record cited in previous office action, mailed on May 18, 2007.

- Rejection of claims 51-64 and 72 under 35 U S C 112, 1<sup>st</sup> paragraph.

In view of the amendment filed on August 20, 2007, following rejection is maintained as of reasons of record cited in previous office action, mailed on May 18, 2007.

- Rejection of claims 36-39, 51-53, 56 and 72 under 35 U S C 102(b) as being anticipated by Hiromi (JP 58-217327).
- Rejection of claims 36-46, 51-61 and 72 under 35 U S C 103(a) as being unpatentable over Leffew (U S Patent No. 6,409,491).
- Rejection of claims 47-50 and 62-64 under 35 U S C 103(a) as being unpatentable over Leffew (U S Patent No. 6,409,491) in view of Dudley (U S Patent No. 4,123,207).

*Response to Arguments*

1. Applicant's arguments filed on August 20, 2007 have been fully considered but they are not persuasive.
2. Applicant argues that the prior art, Hiromi specification and drawings merely suggest centigrade temperature range indicating a consistent T<sub>melt</sub> temperature typical of extrusion, in this case for a particular polymer, and does not teach or suggest localized heating of a portion of the polymer exiting the extrusion device. Hiromi does not disclose a die plate or extrusion assembly having a heater capable of locally heating the melt to a higher temperature than the T<sub>melt</sub> as indicated in the claims.
3. This is not found persuasive because the prior art Hiromi discloses an extrusion assembly having heater (2,4) for heating the polymer to a higher temperature than the T<sub>melt</sub> as indicated in the claim. The prior art further teaches that the heater (4) is disposed at the exit end of the extruder for heating a portion of the polymer exiting from the device (See figure 1).
4. Applicant further argues that the prior art Leffew does not disclose the apparatus element of a heater capable of and positioned so as to heat only locally a portion of the melted polymer to the recited range above the T<sub>melt</sub> or cup temperature of the polymer mass, while the balance of the mass remains at T<sub>melt</sub>. Furthermore, Leffew does not provide a heating means for

raising a local area of the polymer flow to a temperature above  $T_{melt}$ . There is no indication in Leffew whether the heaters could heat the polymer beyond the  $T_{melt}$ .

5. This is not found persuasive because the prior art, Leffew discloses plurality of heater (2), wherein each heater containing a corresponding extrusion barrel within the interior, such that the corresponding extrusion barrel is heated to a predetermined temperature (See figure 1, col.4 lines 14-18), which inherently suggests that the heating means for raising a local area of the material flow to a temperature above the  $T_{melt}$  as defined in the claims of the instant application.

6. Therefore, the rejection of claims 36-64 and 72 is maintain in view of Hiromi and Leffew as of reasons of record, which is given above.

### *Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final


action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dimple N. Bodawala whose telephone number is (571) 272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DNB

  
YOGENDRA N. GUPTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700